

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: Building Permits & Inspections

AGENDA DATE: December 28, 2004

CONTACT PERSON/PHONE: R. Alan Shubert, P.E.

DISTRICT(S) AFFECTED: 4

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

That the Mayor, on behalf of the City of El Paso, be authorized to sign the attached Release of Lien on the property (Legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this condemnation lien 10205 Whitetail Drive

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action?

That the Mayor, on behalf of the City of El Paso, be authorized to sign the attached Release of Lien on the property (Legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this condemnation lien 10205 Whitetail Drive

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? If so, when?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

N/A

*******REQUIRED AUTHORIZATION*******

LEGAL: (if required) _____ **FINANCE:** (if required) _____

OTHER: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City of El Paso, be authorized to sign the attached Release of Lien on the property (Legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this condemnation lien:

	<u>Lien Amount</u>	<u>Interest</u>	<u>Total Paid</u>
10205 Whitetail Drive District 4	\$7,012.55	\$ 584.38	\$7,596.93

ADOPTED this 28th day of December, 2004.

CITY OF EL PASO


Joe Wardy
Mayor

CITY CLERK DEPT.
04 DEC 23 PM 1:28

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Lisa A. Hayes
Assistant City Attorney

THE STATE OF TEXAS)
)
COUNTY OF EL PASO) RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned, of the County of El Paso, and State of Texas, the legal and equitable owner and holder of that one certain obligation in the original principal sum of SEVEN THOUSAND TWELVE AND 55/100 DOLLARS (\$7,012.55) as created by and more fully described in a Resolution dated July 27, 2004, in favor of the CITY OF EL PASO, duly recorded in Document Number 20040073341; of the Deed of Records of El Paso County, Texas, creating a lien against the hereinafter described property that the owner's property constituted a public nuisance in violation of the El Paso City Code;

WHEREAS, the owner failed to comply after due notice, the El Paso City Council, in accordance with the El Paso City Code, declared there to be a lien on the hereinafter described property located at:

Lot 30, Block 6, Deer Valley Unit One, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 55, Page 31, Plat Records of El Paso County, Texas, municipally known and numbered as 10205 Whitetail Drive, El Paso, Texas,

WHEREAS, the El Paso City Council has calculated the interest on this lien to be at ten percent annum (10%) totalling FIVE HUNDRED EIGHTY-FOUR and 38/100 DOLLARS (\$584.38); and

WHEREAS, for and in consideration of the full and final payment of all indebtedness secured by the aforesaid lien, the receipt of which is hereby acknowledged, has released and discharged, and by these presents hereby releases and discharges, the above-described property from the aforesaid lien held by the undersigned securing said indebtedness.

EXECUTED this 28th day of December, 2004.

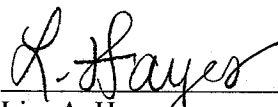
CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

APPROVED AS TO FORM:

Richarda Duffy Momsen
City Clerk


Lisa A. Hayes
Assistant City Attorney

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

 This instrument was acknowledged before me on the _____ day of
_____, 2004, by _____, as _____
of the City of El Paso, a Clerk corporation, on behalf of said corporation.

Notary Public, State of Texas
Typed or Printed Name:

My Commission Expires:
